

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 7, 2011 is **ADOPTED** as the opinion of this Court. It is **ORDERED** that petitioner's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (doc. 186) be and is hereby **DENIED**, and that no Certificate of Appealability shall issue and no appeal *in forma pauperis* shall be allowed.

DONE this 8th day of December, 2011.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE